REMARKS/ARGUMENTS

Applicants have received the Office Action dated May 3, 2007 (hereinafter "Office Action"), in which the Examiner: 1) rejected claims 1-3, 5-6, 9-13, 15-18 and 21-22 under 35 U.S.C. § 102(a) as being allegedly anticipated by Bennett et al. (U.S. Pub. No. 2002/0194000, hereinafter "Bennett"); 2) rejected claim 4 under 35 U.S.C. § 103(a) as being allegedly obvious over Bennett in view of Kemble et al. (U.S. Pub. No. 2002/0133346, hereinafter "Kemble"); and 3) rejected claims 7-8, 14, 19, 20, 23 and 24 as being allegedly obvious over Bennett. With this Response, Applicants have amended claims 1-2, 4-6, 9, 15-18 and 21-22, and cancelled claims 7-8, 14, 19-20 and 23-24. Based upon the amendments and arguments contained herein, Applicants believe this case is in condition for allowance.

I.   REJECTIONS OF THE CLAIMS

In response to the Examiner's rejection of independent claims 1, 9, 15 and 21, Applicants have amended these claims to include the limitations of dependent claims 7, 14, 19 and 23, respectively. While acknowledging that Bennett did not specifically teach the limitations of these now cancelled dependent claims, the Examiner stated:

> However, since Bennett et al., teach receiving an input audio stream through a port, and connecting to the speech recognizers. The system may be configured so that it enables only a single recognizer (paragraph 10, lines 1 -6; paragraph 21, lines 1, and 2). One having ordinary skill in the art at the time the invention was made would have found it obvious to set up a threshold and use only the primary recognition engine when number of available ports exceed the threshold in Bennett et al., because that would make the selection process trivial, by only generating only one result (paragraph 21, lines 3 − 5).

Office Action, ¶ 5, p. 5.   Applicants respectfully traverse the Examiner's characterization of the cited art, as well as the Examiner's assertions of obviousness directed towards the above-listed dependent claims. Applicants

respectfully note that the cited passages of Bennett merely state that "[t]he system may be configured so that it enables only a single recognizer determined to be the best for any given situation," that when so configured "the recognizers will return only one result, the results from the enabled recognizer," and that in such a case "deriving selection information is trivial." Bennett, ¶ [0021]. Thus, Bennett merely teaches that when only one recognizer is enabled there is no selection to be made, and thus the results of the sole enabled recognizer are used. Bennett does not teach or even suggest the use of thresholds of any kind. Applicants respectfully submit that the reference to "the threshold of Bennett et al." stated in the rejection is without foundation, and that the Examiner has failed to present any objective evidence showing that the cited passage, or any other passage from Bennett, supports any suggestion whatsoever of the use of thresholds in the manner required by the rejected dependent claims (now incorporated into their respective independent claims).

Further, Bennett does not teach or even suggest "a port monitor," let alone a port monitor that "determines a number of currently available ports and, if the number of currently available ports exceeds a threshold, causes the first speech recognition engine to be selected and used," as required by independent claim 1, as amended. Also, as noted by the Examiner, the cited text from Bennett teaches enabling a single recognizer, thus eliminating the selection of a recognizer. This elimination of a selection teaches away from at least some of the elements of amended independent claim 1, which requires evaluation logic that "selects one of said speech recognition engines to process additional speech signals from the user," and a port monitor that "causes the first speech recognition engine to be selected and used."

Because Bennett does not teach or even suggest all of the elements of amended independent claim 1, and further because at least some portions of Bennett teach away from at least some of the elements of claim 1, Applicants

respectfully submit that independent claim 1 is neither anticipated nor rendered obvious by Bennett. Further, none of the other art cited, either alone or in conjunction with each other, overcomes the deficiencies of Bennett. For at least these reasons, Applicants respectfully submit that independent claim 1, as amended, as well as those claims that depend upon it, are all in condition for allowance.

Similarly, independent claim 9, as amended, requires "means for... selecting one of said first and second means for recognizing speech," and "means for monitoring a number of available ports associated with the first means for recognizing speech and for selecting the first means for recognizing speech if the number of available ports exceeds a threshold." For at least the same reasons as those presented with regard to amended independent claim 1, Applicants respectfully submit that independent claim 9, as amended, and all claims that depend upon it, are in condition for allowance.

Likewise, amended independent claim 15 requires "selecting between a first speech recognition engine and a second speech recognition engine for the remainder of the session," and "automatically selecting the first speech recognition engine if a number of available ports associated with the first speech recognition engine exceeds a predetermined value." For at least the same reasons as those presented with regard to amended independent claim 1, Applicants respectfully submit that amended independent claim 15, as well as those claims that depend upon it, are all in condition for allowance.

Independent claim 21, as amended, similarly requires code causing a computer to "select between a first speech recognition engine and a second speech recognition engine," and to "determine a number of available ports associated with the first speech recognition engine and to automatically select the first speech recognition engine if the number of available ports is above a threshold." For at least the same reasons as those presented with regard to

amended independent claim 1, Applicants respectfully submit that independent claim 21, as amended, and all claims that depend upon it, are in condition for allowance.

Regarding the rejection of dependent claim 4 as allegedly obvious over Bennett in view of Kemble, Applicants respectfully note that because this claim includes all of the limitations of amended independent claim 1, and because none of the cited art, either alone or in conjunction with each other, teaches or even suggest all of the limitations of the claim 1 for at least the reasons presented above, dependent claim 4 is not rendered obvious over the cited art. Applicants thus respectfully request withdrawal of the rejection of this claim under 35 U.S.C. § 103(a).

II.   ADDITIONAL CLAIM AMENDMENTS

Dependent claim 2 has been amended by Applicants to maintain consistency with the claim elements of independent claim 1. Also, Applicants have corrected two inadvertent typographical errors within independent claim 1. None of these corrections are in response to the Examiner's rejections, and do not alter the original, intended scope of the claim. Further, Applicants have amended dependent claims 2 and 4-6, dependent claims 16-18, and dependent claim 22 to respectively incorporate the limitations of now cancelled dependent claims 8, 14 and 24, so as to maintain consistency with the amendments to independent claims 1, 15 and 21, respectively.

III.   CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may

be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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